

Amendment No. 1 to HB1923

McManus
Signature of Sponsor

AMEND Senate Bill No. 2360

House Bill No. 1923*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 16, Chapter 1, Part 2, is amended by deleting the part in its entirety.

SECTION 2. It is the legislative intent of this act to repeal the statutory codification of the equitable defense of unclean hands, codified in title 16, chapter 1, part 2. It is the further legislative intent, consistent with the original enactment's intent, that the common law equitable doctrine shall remain in full force and effect, unchanged and unadulterated, by the original enactment or this repeal.

SECTION 3. Any person affected by the repeal of the statutory codification of the equitable defense of unclean hands having a claim arising out of any act or omission resulting from such codification shall bring suit in chancery or circuit court alleging such claim, counterclaim, or defense to a claim not later than one year after the effective date of this act, or forever be barred from asserting such claim under title 16, chapter 1, part 2, as a claim, counterclaim, or defense to a claim. The limitation of this section shall not affect any claim or defense or application of any other equitable doctrine arising under the common law.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.